

## ORDINANCE NO. 17-023

### VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN AN ORDINANCE AMENDING ARTICLE II., LICENSES AND FEES, SEC. 6.103, RETAIL LIQUOR AND BEER LICENSE FEES AND CODE REFERENCES OF THE MUNICIPAL CODE FOR THE VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

The Village Board of the Village of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Article II, Section 6.103 Retail Liquor, Beer and Operator License Fees of the Village of Weston Municipal Code is hereby created as follows:

#### **Sec. 6.103 Retail liquor and beer license fees.**

##### **Sec. 6.103. Retail liquor, beer and Operator license fees.**

- (a) *Class A licenses.* The annual fees for class A licenses shall be as set by board resolution, and this fee shall be listed in the schedule of licenses and permit fees.
- (b) *Class B licenses.* The annual fees for class B licenses shall be as set by board resolution, and this fee shall be listed in the schedule of licenses and permit fees.
- (c) *Reserve Class B Liquor Licenses.* The fee for reserve Class B Liquor License shall be \$10,000.00 for the initial issuance. ~~except that the fee for the initial issuance of a Reserve Class B License to a bona fide club or lodge situated and incorporated in the state for at least six (6) years is the fee established in subdivision (b) for such a club or lodge.~~ The annual fee for a renewal of a Reserve Class B liquor license shall be the same as the Class B liquor license fee listed in the schedule of licenses and permit fees.
  - 1. ~~The Village of Weston hereby finds that it is in the interests of the public welfare to increase the property tax base, provide employment opportunities, attract tourists, and generally enhance the economic and cultural climate of the community by providing additional economic incentives for new businesses with liquor licenses. License is the fee established in subdivision (b).~~
  - 2. ~~After the granting of any new Reserve Class B License and payment of the \$10,000.00 initial issuance fee, the applicant may file an application for an Economic Development Grant of \$9,300.00 with the Village Clerk. The Clerk shall determine whether the licensee is operating in compliance with the approved license. The Clerk may require the assistance of any other Village agency in making said determination. If the Clerk determines that the licensee is so operating, the Clerk shall authorize the approval of the \$9,300.00 Economic Development Grant. If the Clerk determines that the licensee is not in compliance with the approved license, no Economic Development Grant may be authorized, and the Clerk shall make such finding in writing and cause to be delivered a copy of the findings to the licensee. If the licensee disagrees with the Clerk's determination, the licensee may file a written notice of appeal upon the Clerk~~

~~within ten (10) calendar days of the written notice of the Clerk's findings. Upon receiving such notice from the licensee, the Clerk shall relay said notice to the VILLAGE BOARD which shall hold a hearing thereon. The VILLAGE BOARD may affirm or reverse the Clerk's determination. If the Clerk's determination is upheld, an appeal thereon may be taken to the Circuit Court pursuant to Wis. Stat. § 753.04. If the Clerk's determination is reversed, the Clerk shall authorize the payment of the Economic Development Grant.~~

- (d) **Class C licenses.** The annual fees for a class C license shall be as set by board resolution, and this fee shall be listed in the schedule of licenses and permit fees.
- (e) **Operator's Licenses.** The fee for an operator's license shall be as set by board resolution, and this fee shall be listed in the schedule of licenses and permit fees and except as otherwise provided shall be issued for one year and shall expire on June 30 of the year for which issued.
- (f) **Liquor, beer and operator late filing application fee.** All renewal applications for liquor, beer and operator licenses shall be filed by the application deadline. A late fee of 10% shall be imposed on any license renewal application filed after the application deadline.

SECTION 2: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

SECTION 3: SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 24th day of July 2017

VILLAGE BOARD, VILLAGE OF WESTON

By Barbara Ermeling  
Barbara Ermeling, President

ATTEST: Sherry Weinkauff  
Sherry Weinkauff, Clerk

APPROVED: 0-0

ADOPTED: 7/24/17

PUBLISHED: 7/26/17

## Notice of Newly Enacted Ordinances

Please take notice that the Village Board of Weston, Wisconsin enacted on July 24, 2017, the following Ordinances:

- Ordinance No 17-014: An amendment to Section 94.4.02(3): to allow the construction of a Townhome, create performance standards and allow the use within the 2F zoning District as a Conditional Use and establishing a prohibition on the construction of new carports for multi-family residence land uses.
- Ordinance No 17-016: An amendment to Section 94.4.02(2): to establish a prohibition of construction of new carports for two-family residence land uses.
- Ordinance No. 17-023 Amending Article II., Licenses and Fees, Sec. 6.103, Retail Liquor and Beer License Fees and Renumbering that Section of the Municipal Code.
- Ordinance No. 17-024 Amending Article II., Licenses and Fees, Sec. 6.104(e), Issuance of Alcohol Beverage Licenses and Renumbering that Section of the Municipal Code.
- Ordinance No 17-025: An amendment to Section 94.4.05(2): to prohibit the use of a "Payday Lender" or "Payday Loan Business" as defined by Wis. Stat. §§138.14 in pursuant to Wis. Stat. §§62.23(hi).
- Ordinance No. 17-027: An Ordinance to Approve the Rezoning of Land From RR-5 Rural Residential-5 Acre to RM – Rural Mixed at 3601 Camp Phillips Road, Village of Weston, Marathon County, Wisconsin.
- Ordinance No. 17-028 An Ordinance Repealing Section 10.126 Dogs and Cats Not to Run at Large and Amending, Renaming and Recreating Section 10.126 Animals Not to Run at Large

The full text of the above Ordinances may be obtained at the office of the Village Clerk, 5500 Schofield Avenue, Weston, Wisconsin or through the Village's website at <http://www.westonwi.gov>.

Dated this 25<sup>th</sup> day of July, 2017  
Sherry Weinkauff, Village Clerk

Published: 7/26/2017



# DAILY HERALD media

A GANNETT COMPANY

STATE OF WISCONSIN  
BROWN COUNTY

WESTON VILLAGE OF  
5500 SCHOFIELD AVE  
WESTON

WI 544764333

## VOUCHER APPROVAL

Account Number:

10-06-56910 -321-000

Description: WDH publication Ord

No 17-014, 17-016, 17-025, 17-027

Approved by 9/24 8/11/17  
Initials Date

\$12.73

I, being duly sworn, doth depose and say I am an authorized representative of The Wausau Daily Herald, a newspaper at Wausau Wisconsin and that an advertisement of which the annexed is a true copy, taken from said paper, which published therein on:

Account Number: GWM-WES425  
Order Number: 0002300785  
No. of Affidavits: 1  
Total Ad Cost: \$35.64  
Published Dates: 07/26/17

10-01-51420-321-000  
WDH publication Ord No  
17-023, 17-024 + 17-028  
\$15.27

10-01-56925-321-000  
WDH publication Ord No  
17-014, 17-016, 17-025  
\$7.64

(Signed)

Kurme G

Legal Clerk

(Date)

7/28/2017

Signed and sworn before me

[Signature]

My commission expires

1-12-2021

Notice of Newly Enacted Ordinances  
Please take notice that the Village Board of Weston, Wisconsin enacted on July 24, 2017, the following Ordinances:  
• Ordinance No. 17-014: An amendment to Section 94.4.02(3): to allow the construction of a Townhome, create performance standards and allow the use within the 2F zoning District as a Conditional Use and establishing a prohibition on the construction of new carports on multi-family residence land uses.  
• Ordinance No. 17-016: An amendment to Section 94.4.02(2): to establish a prohibition of construction of new carports for two-family residence land uses.  
• Ordinance No. 17-023 Amending Article II., Licenses and Fees, Sec. 6.10(4) Retail Liquor and Beer License Fees and Renumbering that Section of the Municipal Code.  
• Ordinance No. 17-024 Amending Article II., Licenses and Fees, Sec. 6.10(4) Issuance of Alcohol Beverage Licenses and Renumbering that Section of the Municipal Code.  
• Ordinance No. 17-025: An amendment to Section 94.4.05(2): to prohibit the use of a "Payday Lender" or "Payday Loan Business" as defined by Wis. Stat. §§138.14 in pursuant to Wis. Stat. §§62.23(hi).  
• Ordinance No. 17-027: An Ordinance to Approve the Rezoning of Land From RR-5 Rural Residential-5 Acre to RM Rural Mixed at 3601 Camp Phillips Road, Village of Weston, Marathon County, Wisconsin.  
• Ordinance No. 17-028 An Ordinance Repealing Section 10.126 Dogs and Cats Not to Run at Large and Amending Renaming and Recreating Section 10.126 Animals Not to Run at Large  
The full text of the above Ordinance may be obtained at the office of the Village Clerk, 5500 Schofield Avenue Weston, Wisconsin or through the Village's website at <http://www.westonwi.gov>.  
Dated this 25th day of July, 2017  
Sherry Weinkauf, Village Clerk  
RUN: July 26, 2017 WNAJLP

WESTON VILLAGE OF  
Re: Newly Enacted Ord

**VILLAGE OF WESTON, WISCONSIN  
AGENDA ITEM COVER SHEET**

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**MTG/DATE:** Board of Trustees – 07/24/17

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**FROM:** Sherry Weinkauf, Clerk

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**DESCRIPTION:** **ORDINANCE NO. 17-023 AMENDING ARTICLE II.,  
LICENSES AND FEES, SEC. 6.103, RETAIL LIQUOR AND  
BEER LICENSE FEES AND RENUMBERING THAT SECTION  
OF THE MUNICIPAL CODE.**

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<b>ACTION:</b>	<input checked="" type="checkbox"/> Approve	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Proclamation
	<input type="checkbox"/> Deny	<input type="checkbox"/> Policy	<input checked="" type="checkbox"/> Report
	<input type="checkbox"/> Expenditure	<input type="checkbox"/> Procedure	<input type="checkbox"/> Resolution

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**QUESTION:**

Should the Board of Trustees approve amending Article II., Licenses and Fees, Sec. 6.103, Retail Liquor and Beer License Fees and renumbering that section of the Municipal Code?

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**BRIEF:**

Per state law and effective June 3, 2016, municipalities may no longer rebate or refund the initial fee (\$10,000) for a reserve "Class B" liquor license, including through a grant or tax credit program. Currently our ordinance states that an applicant can file for a \$9,300 Economic Development Grant with the Village Clerk. I am removing this language from the ordinance since it can no longer exist per new legislation.

I am also adding language regarding a Class C Wine license fee. The fee is listed in the Schedule of Fees, but there is no license fee language listed in the ordinance.

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**FISCAL IMPACT:** N/A

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**RECOMMEND:** Recommendation is to approve amending Article II., Licenses and Fees, Sec. 6.103, Retail Liquor and Beer License Fees and renumbering that section of the Municipal Code.

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**COMMITTEE:** The Community Life and Public Safety Committee recommended approval of this amendment at their meeting held on June 26<sup>th</sup>.

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**REQUEST:**

To approve amending Article II., Licenses and Fees, Sec. 6.103, Retail Liquor and Beer License Fees and renumbering that section of the Municipal Code.

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- ☐ Is there an additional briefer with this agenda item?
- ☒ Are there additional reference documents which have been attached to this report?